



# Fiduciary Board Meeting

Arizona State Courts Building  
1501 West Washington Street, Phoenix, Arizona 85007  
Hearing Room 109

**January 9, 2020**  
**10:30 a.m.**

## **Approved Regular Meeting Minutes**

### **MEMBER ATTENDANCE:**

#### **Present:**

Deborah Primock  
Elaine Acosta Sweet  
Peter Santini  
Sharon Yates

#### **Telephonically Present:**

Emily Kile  
Belvet Elsouhag  
Teresa Lancaster  
Hon. Jay M. Polk  
Diana Corry

#### **Absent:**

### **OTHER ATTENDEES:**

#### **AOC Staff:**

Michelle Martinez  
Wil Castro  
Hal White  
Pasquale Fontana  
William MacIntyre  
Arnita Oliver  
Jennifer Ashley

#### **Guests:**

Lina Garcia  
Taylor Galas  
Cathy Galas  
Stephanie McCollum  
Letty Segovia  
Heather Bull  
Philip Davis

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## CALL TO ORDER

***Called to Order By:*** Deborah Primock, Chair

***Time:*** 10:31 a.m.

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### 1) REVIEW AND APPROVAL OF MINUTES:

***1-A: Review, discussion and possible action regarding the regular session minutes of the meeting held on November 19, 2019.***

***Individual Addressing the Board:*** Deborah Primock

***Discussion:*** None

***Motion:*** Consideration of and motion to accept the regular session minutes of the meeting held on November 19, 2020.

***Motion Proposals:*** First Peter Santini  
Second Elaine Sweet

***Motion Results:*** Pass

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### 2) PENDING COMPLAINTS:

***2-A: Review, discussion and possible action regarding complaints 17-0023 and 19-0017 involving license holder James Otis.***

***Individual Addressing the Board:*** Michelle R. Martinez

***Discussion:*** Division staff has been informed by Mark Harrison, counsel for Mr. Otis that Mr. Otis passed away on or about December 3, 2019. Mr. Harrison further notified the Division that Mr. Otis' wards/protected persons were being appropriately transferred to other licensed fiduciaries.

Staff recommends that the Board dismiss complaint numbers 17-0023 and 19-0017.

***Motion:*** Consideration of and motion to accept staff's recommendation

***Motion Proposals:*** First Elaine Acosta Sweet  
Second Teresa Lancaster

**Motion Results:** Pass

**2-B: Review, discussion and possible action regarding complaint 18-0006 involving license holder Stephanie McCollum.**

**Individual Addressing the Board:** Pasquale Fontana

**Discussion:** It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Stephanie McCollum has committed the alleged act(s) of misconduct as detailed in Allegation 4 in the Investigation Summary and Allegation Analysis Report in complaint number 18-0006.

It is further recommended the Board enter a finding grounds for informal disciplinary action exists pursuant to Arizona Code of Judicial Administration (“ACJA”) §§ 7-201(H)(6)(a) and (k) for act(s) of misconduct involving ACJA § 7-202(J)(4)(m) for failure to communicate and cooperate with various service providers as further described in the Investigation Summary and Allegation Analysis Report and ACJA § 7-202(J)(3)(e) for failure to maintain records describing/supporting her assertions regarding Healing Gardens the monthly residency costs as further described in the Investigation Summary and Allegation Analysis Report.

It is further recommended that the Board issue Stephanie McCollum a Letter of Concern.

**Motion:** Consideration of and motion to accept staff’s recommendation.

**Motion Proposals:** First Elaine Acosta Sweet  
Second Peter Santini

**Motion Results:** Pass

**2-C: Review, discussion and possible action regarding complaint 18-0038 involving license holder Leslie Mann-Damon.**

**Individual Addressing the Board:** William MacIntyre

**Discussion:** It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Leslie Mann-Damon has not committed the alleged act(s) of misconduct as detailed in Allegations 1, 2, 3, 4 & 5 of the Investigation Summary and Allegation Analysis Report in complaint number 18-0038.

It is further recommended the Board dismiss complaint 18-0038.

**Motion:** Consideration of and motion to accept staff’s recommendation.

**Motion Proposals:** First Peter Santini  
Second Sharon Yates  
**Motion Results:** Pass

**2-D:** *Review, discussion and possible action regarding complaint 18-0050 involving license holder Custom Care & Financial Solutions.*

**Individual Addressing the Board:** William MacIntyre

**Discussion:** It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding CCFS has not committed the alleged act(s) of misconduct as detailed Allegation 1, 2 and 3 of the Investigation Summary and Allegation Analysis Report in complaint number 18-0050.

It is further recommended the Board dismiss complaint 18-0050.

**Motion:** Consideration of and motion to accept staff's recommendation

**Motion Proposals:** First Emily Kile  
Second Teresa Lancaster  
Recused: Deborah Primock, Hon. Jay M. Polk

**Motion Results:** Pass

**2-E:** *Review, discussion and possible action regarding complaint 19-0005 involving license holder Dawn Walters.*

**Individual Addressing the Board:** Michelle Martinez

**Discussion:** Update provided concerning status information submitted by license holder. Petition for instructions pending with the Court. Matter remains pending. No vote at this time.

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### **3) INITIAL LICENSURE AND ELIGIBILITY:**

**3-A:** *Review, discussion and possible action regarding the following applications for initial individual and business licensure:*

- 1.** *Lina Garcia*
- 2.** *Stephanie Smith*

**Individual Addressing the Board:** Wil Castro

**Discussion:** The Division recommends approval of initial individual fiduciary licensure for the following applicants:

1. Lina Garcia
2. Stephanie Smith

**Motion:** Consideration of and motion to accept staff's recommendation

**Motion Proposals:** First Peter Santini  
Second Emily Kile

**Motion Results:** Pass

#### 4) RENEWAL CERTIFICATION APPLICATIONS:

**4-A:** *Review, discussion and possible action regarding the following applications for renewal of individual and/or business entity licensure:*

- |   |                                       |
|---|---------------------------------------|
| 1. Braddock, Lori                       | 12. Arizona Elder Care, LLC           |
| 2. Crosby, Elizabeth                    | 13. Stubler Fiduciary Services LLC    |
| 3. Flores, Patricia                     | 14. Sanelli, Mark                     |
| 4. Fuss, Charles                        | 15. Jason Cobb                        |
| 5. Goldman, Ronald                      | 16. Compass Fiduciary                 |
| 6. Goldman, Jennifer                    | 17. Jane Anne Geisler                 |
| 7. Holcomb, Sarah                       | 18. Managed Protective Services, Inc. |
| 8. Hoover, Taryn                        | 19. Miller, Tara                      |
| 9. Lauro, Christina                     | 20. Murray, Cheri                     |
| 10. Paz, Sandra                         |                                       |
| 11. Integrated Fiduciary Services, Inc. |                                       |

**Individual Addressing the Board:** Hal White

**Discussion:** It is recommended renewal of standard licensure be granted to the following individuals:

1. Braddock, Lori
2. Crosby, Elizabeth
3. Flores, Patricia
4. Fuss, Charles
5. Goldman, Ronald
6. Goldman, Jennifer
7. Holcomb, Sarah
8. Hoover, Taryn
9. Lauro, Christina
10. Paz, Sandra
11. Integrated Fiduciary Services, Inc.
12. Arizona Elder Care, LLC
13. Stubler Fiduciary Services LLC
14. Sanelli, Mark

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Elaine Acosta Sweet  
Second Hon. Jay M. Polk  
Recusals Emily Kile - 2 and 11

**Motion Results:** Pass

- 15. Jason Cobb
- 16. Compass Fiduciary

**Individual Addressing the Board:** Hal White

**Discussion:** It is recommended renewal of standard licensure be granted to Jason Cobb and Compass Fiduciary Group, LLC with non-disclosure language.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Belvet Elsouhag  
Second Peter Santini

**Motion Results:** Pass

**Individual Addressing the Board:** Hal White

- 17. Jane Anne Geisler
- 18. Managed Protective Services, Inc

**Discussion:** It is recommended renewal of standard licensure be granted to Jane Anne Geisler and Managed Protective Services, Inc. for both renewal periods to include non-disclosure language for the 2016-2018 renewal period.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Elaine Acosta Sweet  
Second Teresa Lancaster

**Motion Results:** Pass

**Individual Addressing the Board:** Hal White

- 19. Miller, Tara
- 20. Murray, Cheri

**Discussion:** It is recommended the Board waive Cheri L. Murray and Tara Miller's continuing education requirement for the 2018-2020 renewal period. It is further recommended renewal of standard licensure be granted to Cheri L. Murray and Tara K. Miller.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Peter Santini  
Second Hon Jay M. Polk

**Motion Results:** Pass

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## **5) LICENSURE AND ELIGIBILITY:**

### **5-A: Review, discussion, and possible action regarding the voluntary surrender of licensure received from Donal Childers.**

**Individual Addressing the Board:** Hal White

**Discussion:** Division records indicate that there are no pending complaints against Mr. Childers.

It is recommended the Board accept the request of Donal Childers to voluntarily surrender his individual fiduciary license.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Emily Kile  
Second Peter Santini

**Motion Results:** Pass

### **5-B: Review, discussion, and possible action regarding the request to retake the Fiduciary Program Examination from the following individuals:**

- 1. Antoinette Nelson**
- 2. Lorena Velasquez**

**Individual Addressing the Board:** Michelle Martinez

**Discussion:** It is recommended that the Board grant the requests from the following individuals to retake the Fiduciary Program Examination for the fourth time.

1. Antoinette Nelson
2. Lorena Velasquez

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Emily Kile  
Second Peter Santini

**Motion Results:**      Opposed      Hon. Jay Polk  
                                 Pass

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**6)      ADMINISTRATIVE ISSUES;**

**6-A:    *Nomination and election of the Fiduciary Board Vice Chair.***

**Individual Addressing the Board:**      Michelle R. Martinez

**Discussion:**                      Peter Santini is nominated by Hon Jay Polk as vice chair.

**Motion:**                          Consideration of and motion to accept the nomination of Peter Santini as Vice Chair.

**Motion Proposals:**    First                      Hon. Jay Polk  
                                 Second                  Belvet Elsouhag

**Motion Results:**      Pass

**6-B:    *Review, discussion and possible action regarding the certification renewal application deadline pursuant to Arizona Code of Judicial Administration § 7-201 (G)(2).***

**Individual Addressing the Board:**      Hal White

**Discussion:**                      Staff recommends the Board establish the 2020-2022 renewal application deadline as midnight, May 31, 2020. The renewal period will open on April 1, 2020. An additional \$50 fee will be charged for applications received after April 30, 2020.

**Motion:**                          Consideration of and motion to accept the renewal application deadline.

**Motion Proposals:**    First                      Elaine Acosta Sweet  
                                 Second                  Belvet Elsouhag

**Motion Results:**      Pass

**6-C:    *Review, discussion and possible action concerning random audits of continuing education compliance for renewal.***

**Individual Addressing the Board:**      Hal White

**Discussion:**                      It is recommended the Board request staff to audit 10% of the renewal applicants in the Fiduciary pool for continuing education compliance.

**Motion:**                          Consideration of and motion to accept staff's recommendation



***Motion Proposals:*** First Peter Santini  
Second Emily Kile  
***Motion Results:*** Pass

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## **CALL TO THE PUBLIC**

***Individuals Addressing the Board:*** Stephanie McCollum

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## **ADJOURNMENT**

***Motion:*** Move to adjourn.

***Motion Proposals:*** First Elaine Acosta Sweet  
Second Peter Santini

***Motion Results:*** Pass

***Time:*** 11:31 a.m.

Initials: AO